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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO		
10/652,787	08/29/2003	Paul Layzell	200208258-2	3400		
75	590 08/23/2006	EXAMINER				
	ACKARD COMPANY	NGUYEN, CHAU T				
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Fort Collins, CO 80527-2400			2176			
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary		Application No. Applicant(s)						
			10/652,787		LAYZELL ET AL.			
			Examiner		Art Unit			
			Chau Nguyen		2176			
Period fo	The MAILING DATE of this commun or Reply	nication appe	ars on the cover she	et with the co	orrespondence ad	ldress		
WHIC - Exter after - If NC - Failu Any	ORTENED STATUTORY PERIOD F CHEVER IS LONGER, FROM THE Nations of time may be available under the provisions SIX (6) MONTHS from the mailing date of this coming period for reply is specified above, the maximum of the toreply within the set or extended period for reply reply received by the Office later than three months and patent term adjustment. See 37 CFR 1.704(b).	MAILING DATES of 37 CFR 1.136 munication. tatutory period will y will, by statute, c	TE OF THIS COMM (a). In no event, however, rr apply and will expire SIX (6) ause the application to become	UNICATION nay a reply be time) MONTHS from to the ABANDONEE	l. ely filed he mailing date of this co) (35 U.S.C. § 133).			
Status								
1)⊠	Responsive to communication(s) file	ed on <i>06 Jur</i>	ne 2006.					
•	☐ This action is FINAL . 2b)☐ This action is non-final.							
· ·	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
,—	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Dispositi	on of Claims							
4)⊠ Claim(s) <u>1-36</u> is/are pending in the application.								
	4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.								
6)⊠	6)⊠ Claim(s) <u>1-36</u> is/are rejected.							
7)	Claim(s) is/are objected to.							
8)□	Claim(s) are subject to restri	ction and/or	election requiremen	t.				
Applicati	on Papers							
9)[The specification is objected to by the	ne Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).								
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority ι	ınder 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:								
	1. Certified copies of the priority documents have been received.							
	2. Certified copies of the priority documents have been received in Application No							
	3. Copies of the certified copies of the priority documents have been received in this National Stage							
	application from the Internation		•					
* (See the attached detailed Office action	on for a list o	f the certified copies	; not receive	d.			
Attach	*(a)							
Attachmen	e of References Cited (PTO-892)		4) ☐ Inten	view Summary	(PTO-413)			
2) Notice	e of Draftsperson's Patent Drawing Review (Pape	er No(s)/Mail Da	Mail Date				
	mation Disclosure Statement(s) (PTO-1449 o r No(s)/Mail Date	r PTO/SB/08)	5) Notice 6) Othe		al Patent Application (PTO-152)			

DETAILED ACTION

1. Amendments, received on 06/06/2006, have been entered. Claims 1-36 are presented for examination.

ABSTRACT

- 2. Applicant is reminded of the proper content of an abstract of the disclosure.
- 3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geigel et al. (Geigel), European Patent Application, and further in view of Wong et al.

(Wong) with title "A New Algorithm for Floorplan Design", published by IEEE Database.

6. As to independent claims 1, 20-21 and 36, Geigel discloses a method of

composing a page, or a portion of a page, of a document, by a programmed processor

comprises:

receiving a definition of a plurality of objects to be fitted on to the page and dimensional attributes of each of the objects (page 3, lines 1-19: evaluating a grouping of the image objects for distribution into a number of pages and evaluating the x and y position coordinates of each of the images objects within a page according to fitness

function parameters in a genetic engine);

establishing an arrangement of the plurality of objects such that each object lies within a separate rectangle (page 3, lines 14-19: specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments; page 7, lines 18-37: plurality of images (objects) are placed in album pages);

iterative process (page 3, lines 14-19 and page 6, lines 16-28 specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments by using an iterative process):

However, Geigel does not explicitly disclose a separate rectangle of a slicing structure dissection of a rectangular area; receiving and preparing for evaluation for the

plurality of objects a function which provides a total cost of an arrangement of the plurality of objects based on one or more properties of the arrangement; and finding a slicing structure arrangement of the plurality of objects with a minimized total cost.

Wong discloses in pages 101-102 and Figure 1a that each module 1-7 is arranged in rectangle dissection which is a subdivision of a given rectangle by horizontal and vertical line segments into a seven of non-overlapping rectangles, and a slicing structure is a rectangle dissection that can be obtained by recursively cutting rectangles into a smaller rectangles (see Figure 1a). Wong also discloses computing cost of rectangles (objects) placed in the area of the floorplan design rectangle by using the cost function (page 103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wong and Geigel to include a separate rectangle of a slicing structure dissection of a rectangular area and providing a total cost of an arrangement of the plurality of objects based on one or more properties of the arrangement. Wong suggests that the algorithm for floorplan design would enable us to carry out the neighborhood search effectively and provide a simultaneous minimization of area and total interconnection length in the solution.

7. As to dependent claims 2, 9-10, and 13-14 Geigel and Wong (Geigel-Wong) disclose wherein the iterative process comprises repeated application of a genetic algorithm (Geigel, page 6, lines 16-28).

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8. As to dependent claim 3, Geigel-Wong disclose wherein the genetic algorithm is adapted to generate mutations of existing single arrangements and crossovers between pairs of existing arrangements (Geigel, page 6, lines 16-28).

- 9. As to dependent claim 4, Geigel-Wong disclose wherein one or more of the objects in the plurality of objects are fixed either in absolute position in the arrangement, or in position relative to one or more other objects in the plurality of objects (Wong, page 103, section 5: the relative positions of the modules (objects) in different floorplan realizations are essentially fixed by the given slicing structure).
- 10. As to dependent claim 5, Geigel-Wong disclose wherein two or more of the objects in the plurality of objects are grouped together into an object group and are constrained to lie within a group rectangle of a slicing structure dissection (Geigel, Fig. 9, page 8, line 55 page 9, line 1).
- 11. As to dependent claim 6, Geigel-Wong disclose wherein the object group is fixed either in absolute position in the arrangement, or in position relative to one or more other groups or objects in the plurality of objects (Wong, page 103, section 5: the relative positions of the modules (objects) in different floorplan realizations are essentially fixed by the given slicing structure).

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12. As to dependent claims 7 and 11, Geigel-Wong disclose wherein the iterative

process comprises conducting optimizing an arrangement of objects within a group and

then optimizing an arrangement of any groups and ungrouped objects (Geigel, page 10,

lines 11-29).

13. As to dependent claims 8 and 12, Geigel-Wong disclose wherein the iterative

process comprises repeatedly conducting the steps of optimizing an arrangement of

objects within a group and then optimizing an arrangement of any groups and

ungrouped objects (Geigel, page 6, lines 16-28 and page 10, lines 11-29).

14. As to dependent claim 15, Geigel-Wong disclose wherein one of the one or more

properties of the arrangement is the total area occupied by the arrangement (Wong,

page 103, section 6.2 and page 104, section 8).

15. As to dependent claim 16, Geigel-Wong disclose wherein the plurality of objects

form two or more groups, and wherein one of the one or more properties is a measure

of the proximity to each other of objects which are members of the same group (Wong,

page 104, section 8).

16. As to dependent claim 17, Geigel-Wong disclose wherein the proximity is

measured by a total distance of lines joining one group member to another group

member, such that every member of a group with more than one member has at least one line joined thereto (Wong, pages 102-103, sections 3 and 4).

- 17. As to dependent claim 18, Geigel-Wong disclose wherein each group member is joined by one and only one line to every other member of the same group (Wong, pages 102-103, sections 3 and 4).
- 18. As to dependent claim 19, Geigel-Wong disclose wherein one of the one or more properties is the aspect ratio of the arrangement (Wong, page 101, section 1).
- 19. As to independent claims 22, and 28-29 Geigel discloses a method of composing a page, or a portion of a page, of a document, by programmed processor comprising:

receiving a definition of a plurality of objects to be fitted on to the page and dimensional attributes of each of the objects (page 3, lines 1-19: evaluating a grouping of the image objects for distribution into a number of pages and evaluating the x and y position coordinates of each of the images objects within a page according to fitness function parameters in a genetic engine);

establishing, for the plurality of objects, evaluation of a function to represent a total area of an arrangement of the plurality of objects (page 3, lines 14-19: specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments; page 7, lines 18-37: plurality of images (objects) are placed in album pages);

However, Geigel does not explicitly disclose minimizing the function to find a minimized total area arrangement; and fitting the minimized total are arrangement to the page. Wong discloses in pages 101-102 and Figure 1a that each module 1-7 is arranged in rectangle dissection which is a subdivision of a given rectangle by horizontal and vertical line segments into a seven of non-overlapping rectangles, and a slicing structure is a rectangle dissection that can be obtained by recursively cutting rectangles into a smaller rectangles (see Figure 1a). Wong also discloses computing cost of rectangles (objects) placed in the area of the floorplan design rectangle by using the cost function (page 103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wong and Geigel to include minimizing the function to find a minimized total area arrangement; and fitting the minimized total are arrangement to the page. Wong suggests that the algorithm for floorplan design would enable us to carry out the neighborhood search effectively and provide a simultaneous minimization of area and total interconnection length in the solution.

20. As to dependent claim 23, Geigel-Wong disclose wherein the step of minimizing the function is constrained such that the minimized total area arrangement has a similar aspect ratio to the page, and wherein the step of fitting the minimized total area arrangement to the page comprises scaling the minimized total area arrangement (Wong discloses in pages 101-102 and Figure 1a that each module 1-7 is arranged in rectangle dissection which is a subdivision of a given rectangle by horizontal and

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solution).

vertical line segments into a seven of non-overlapping rectangles, and a slicing structure is a rectangle dissection that can be obtained by recursively cutting rectangles into a smaller rectangles (see Figure 1a). Wong also discloses computing cost of rectangles (objects) placed in the area of the floorplan design rectangle by using the cost function (page 103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wong and Geigel to include minimizing the function to find a minimized total area arrangement; and fitting the minimized total area arrangement to the page. Wong suggests that the algorithm for floorplan design would enable us to carry out the neighborhood search effectively and provide a simultaneous minimization of area and total interconnection length in the

- 21. As to dependent claim 24, Geigel-Wong disclose wherein the step of minimizing the function is constrained such that no dimension of the minimized total area arrangement is greater than a corresponding dimension of the page, and wherein the step of fitting the minimized total area arrangement to the page comprises separating adjacent objects according to a separation rule (Geigel, page 8, line 50 page 9, line 23).
- 22. As to dependent claim 25, Geigel-Wong disclose wherein the function depends on the aspect ratio of the arrangement, such that minimization of the function produces

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a minimized total area arrangement which is a co optimization of total area and of the aspect ratio (Wong, page 101, section 1).

- 23. As to dependent claim 26, Geigel-Wong disclose wherein minimizing the function is carried out by means of an iterative process (Geigel, page 3, lines 14-19 and page 6, lines 16-28 specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments by using an iterative process).
- 24. As to dependent claim 27, Geigel-Wong disclose wherein the iterative process comprises repeated application of a genetic algorithm (Geigel, page 6, lines 16-28).
- 25. As to independent claims 30, and 34-35, Geigel discloses a method of providing a customized document having a plurality of pages comprising:

receiving a plurality of selected objects for inclusion in the document form a database of two-dimensional objects and an assignation of each of the selected objects to one of a plurality of groups, and an assignation of each of the selected objects to one of the pages of the document (page 3, lines 1-19: automated album layout method involves the use of a set of inputs including digital images, graphics, and other 2-dimensional objects, and evaluating a grouping of the image objects for distribution into a number of pages and evaluating the x and y position coordinates of each of the images objects within a page according to fitness function parameters in a genetic engine);

producing a function dependent on a total area of the arrangement and on proximity to each other of objects in the same group and for said one of the pages of the document establishing, for the objects assigned to that page, evaluation of the function (page 3, lines 14-25: specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments, a layout evaluation module operable to test the present set of image placement parameters with a page fitness function to determine a page score; page 7, lines 18-37: plurality of images (objects) are placed in album pages); and

arranging the objects assigned to the said one of the pages in an arrangement (page 7, lines 18-37: plurality of images (objects) are placed in album pages)

However, Geigel does not explicitly disclose minimize the function. Wong also discloses computing cost of rectangles (objects) placed in the area of the floorplan design rectangle by using the cost function (page 103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wong and Geigel to include cost function. Wong suggests that the algorithm for floorplan design would enable us to carry out the neighborhood search effectively and provide a simultaneous minimization of area and total interconnection length in the solution.

26. As to dependent claim 31, Geigel-Wong disclose wherein the step of arranging the objects comprises dividing the page into regions and making separate arrangements in each of the regions (Geigel, page 8, line 50 – page 9, line 1).

27. As to dependent claim 32, Geigel-Wong disclose wherein said step of arranging the objects comprises establishing an arrangement of the plurality of objects such that each object lies within a separate rectangle of a slicing structure dissection of a rectangular area and finding a slicing structure arrangement of the plurality of objects with a minimized total cost by means of an iterative process (Geigel, page 3, lines 14-19 and page 6, lines 16-28 specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments by using an iterative process; Wong discloses in pages 101-102 and Figure 1a that each module 1-7 is arranged in rectangle dissection which is a subdivision of a given rectangle by horizontal and vertical line segments into a seven of non-overlapping rectangles, and a slicing structure is a rectangle dissection that can be obtained by recursively cutting rectangles into a smaller rectangles (see Figure 1a). Wong also discloses computing cost of rectangles (objects) placed in the area of the floorplan design rectangle by using the cost function (page 103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wong and Geigel to include a separate rectangle of a slicing structure dissection of a rectangular area and providing a total cost of an arrangement of the plurality of objects based on one or more properties of the arrangement. Wong suggests that the algorithm for floorplan design would enable us to carry out the neighborhood search effectively and provide a simultaneous minimization of area and total interconnection length in the solution).

28. As to dependent claim 33, Geigel-Wong disclose wherein the iterative process comprises repeated application of a genetic algorithm (Geigel, page 6, lines 16-28).

Response to Arguments

In the remarks, Applicant argued in substance that

A) The prior art of record does not disclose, teach, or suggest at least "establishing an arrangement of the plurality of objects such as each object lies within a separate rectangle of a slicing structure dissection of a rectangle area" and "finding a slicing structure arrangement of the plurality of objects with a minimised total cost by means of an iterative process" as recited and emphasized in claim 1 (see page 13 of Remarks).

In reply to argument A, Geigel discloses establishing an arrangement of the plurality of objects such that each object lies within a separate rectangle (page 3, lines 14-19: specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments; page 7, lines 18-37: plurality of images (objects) are placed in album pages);

iterative process (page 3, lines 14-19 and page 6, lines 16-28 specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments by using an iterative process):

Wong discloses in pages 101-102 and Figure 1a that each module 1-7 is arranged in rectangle dissection which is a subdivision of a given rectangle by horizontal and vertical line segments into a seven of non-overlapping rectangles, and a

slicing structure is a rectangle dissection that can be obtained by recursively cutting rectangles into a smaller rectangles (see Figure 1a). Wong also discloses computing cost of rectangles (objects) placed in the area of the floorplan design rectangle by using the cost function (page 103). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Wong and Geigel to include a separate rectangle of a slicing structure dissection of a rectangular area and providing a total cost of an arrangement of the plurality of objects based on one or more properties of the arrangement. Wong suggests that the algorithm for floorplan design would enable us to carry out the neighborhood search effectively and provide a simultaneous minimization of area and total interconnection length in the solution.

B) "A prima facie case establishing an obviousness rejection by the proposed combination of Geigel with Wong has not been made." (see page 14 of Remarks)

In reply to argument B, to establish a prima facie case of obviousness, three basic criteria must be met.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. In this case, Geigel discloses a system and method for automatic layout of images in digital albums comprising a mechanism for specifying an initial set of image page assignments to a genetic population and a genetic engine operable to evolve the genetic population to produce a present set of image page assignments, which is similar to a subdivision of a given

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rectangle by horizontal and vertical line segments into a finite number of non-overlapping rectangles of Wong, thus it would have been obvious in the knowledge generally available to one of ordinary skill in the art at the time the invention was made to modify or combine the teaching of Geigel and Wong since they both are from the same field of endeavor. The motivation for doing so is that Wong suggests that the algorithm for floorplan design would enable us to carry out the neighborhood search effectively and provide a simultaneous minimization of area and total interconnection length in the solution.

Second, there must be a reasonable expectation of success. The prior art can be modified or combined to reject claims as prima facie obvious as long as there is a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, claimed invention directed to a method of composing a page or a portion of a page or a document was rejected as obvious over a reference (Geigel) which taught a method of organizing and generating album and page layouts of digital images and further in view of a reference (Wong) which taught module arranged in rectangle dissection which is a subdivision of a given rectangle by horizontal and vertical line segments into a seven of non-overlapping rectangles, and a slicing structure is a rectangle dissection that can be obtained by recursively cutting rectangles into a smaller rectangles. Thus, there was reasonable expectation that a process combining the prior art steps could be successfully scaled up.

Finally, the prior art references when combined must teach or suggest all the claim limitations. Please see the rejection of claim 1 above.

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C) The prior art of record does not disclose, teach, or suggest at least "establishing an arrangement of the plurality of objects such as each object lies within a separate rectangle of a slicing structure dissection of a rectangle area" and "finding a slicing structure arrangement of the plurality of objects with a minimised total cost by means of an iterative process" as recited and emphasized in claims 20-21 and 36 (see pages 14-16 and pages 26-27 of Remarks).

As to reply to argument C, this argument is the same with arguments A and B of claim 1, therefore, please see the reply to arguments A and B above.

D) The prior art of record does not disclose, teach, or suggest at least "establishing, for the plurality of objects, evaluation of a function to represent a total area of an arrangement of the plurality of object; minimising the function to find a minimised total area arrangement; and fitting the minimised total area arrangement to the page," as recited in claims 22, and 28-29 (see pages 17-20 of Remarks).

In reply to argument D, Geigel discloses on page 3, lines 14-19: specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments; page 7, lines 18-37: plurality of images (objects) are placed in album pages. Wong discloses in pages 101-102 and Figure 1a that each module 1-7 is arranged in rectangle dissection which is a subdivision of a given rectangle by horizontal and vertical line segments into a seven of non-overlapping rectangles, and a slicing structure is a rectangle dissection that can be obtained by recursively cutting rectangles into a smaller rectangles (see Figure 1a). Wong also discloses computing

cost of rectangles (objects) placed in the area of the floorplan design rectangle by using the cost function (page 103).

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E) The prior art of record does not disclose, teach, or suggest at least "producing a function dependent on a total area of the arrangement and on proximity to teach other of objects in the same group and for said one of the pages of the document establishing, for the objects assigned to the page, evaluation of the function; and arranging the objects assigned to the said one of the pages in an arrangement such as to minimise the function" as recited in claims 30 and 34-35 (see pages 21-22 and 23-25 of Remarks).

In reply to argument E, Geigel discloses on page 3, lines 14-25: specifying an initial set of image page assignments to a genetic population to produce a present set of image page assignments, a layout evaluation module operable to test the present set of image placement parameters with a page fitness function to determine a page score; page 7, lines 18-37: plurality of images (objects) are placed in album pages);

arranging the objects assigned to the said one of the pages in an arrangement (page 7, lines 18-37: plurality of images (objects) are placed in album pages)

Wong also discloses computing cost of rectangles (objects) placed in the area of the floorplan design rectangle by using the cost function (page 103).

29. Applicant's arguments filed 06/06/2006 have been fully considered but they are not persuasive. Please see the rejection and response to arguments above.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The examiner can normally be reached on 8:30 am – 5:30 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen Patent Examiner Art Unit 2176

> WILLIAM BASHORE PRIMARY EXAMINER